

1 Sacramento, California

Tuesday, March 1, 2005

2

PROCEEDINGS

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4

6:35 p.m.

5

would you please step

6

forward.

7

MR. Good evening. I am and

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I am representing myself and my wife here tonight. And I

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want to say, too, that these comments are made to be

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constructive, or considered to be that way.

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I have a brief summary of my statement -- my

12

written statement on some issues related to user capacity

13

in the Yosemite Valley.

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After many hours of study and review, I have

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found this document extremely difficult to comprehend.

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Pertinent data comparing the alternatives are

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inconsistent, scattered in tables, footnotes and

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appendices, and are almost impossible to decipher. The

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comparisons may be in there somewhere embedded in a

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two-inch thick document, but I believe they are not

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present in a manner suitable for meaningful public

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review.

23

Unfortunately, at this point in the process, I

24

am not sure what can or should be done, but it seems the

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document in its present form requires at least a brief

1 supplemental summary in comparing the alternatives in a  
2 more easily understandable manner. A clearly stated  
3 summary statement comparing alternatives and a short but  
4 reasonably extended public comment period would ensure a  
5 more meaningful public review process.

6           There is far too little discussion in the  
7 document on how to accomplish the complexities of  
8 regulating use once limits are determined, whatever they  
9 are. Limiting use by segment and zone as suggested in  
10 Alternatives 3 and 4, and would likely be required under  
11 preferred Alternative 2 as well, would be an  
12 administrative nightmare for the National Park Service  
13 requiring large but unknown numbers of enforcement  
14 personnel and infrastructure developments. A  
15 resource-oriented interpretive staff would be substituted  
16 with one run by a police force herding unlimited numbers  
17 of Valley visitors to least desirable venues. The  
18 visitor experience would be seriously compromised by  
19 these alternatives, and the impacts of increased  
20 enforcement staff and infrastructure would have  
21 unacceptable impacts to already overused resources.

22           A far more reasonable and poorly addressed  
23 alternative would be to begin to explore the  
24 possibilities of implementing a day use reservation  
25 system, incorporating a first-come, first-use component.

1 This process should begin with a public awareness and  
2 education program describing the need and a system that  
3 would guarantee day use entry once a reservation system  
4 is in place. Emphasis must be made that a day use  
5 reservation system is not designed to limit access. It's  
6 designed to guarantee access. Far more emphasis should  
7 be given to this issue in any supplements, summaries or  
8 revisions to this draft plan. Failure to address a day  
9 use reservation system in a comprehensive manner is a  
10 serious oversight in this document.

11 Further, there appears to be no significant  
12 discussion of the multi-million-dollar construction  
13 projects at the Lodge and Curry that were halted by the  
14 Ninth Circuit Court directives. References to the  
15 projects included under reasonably foreseeable future  
16 actions seems to imply the projects will proceed as soon  
17 as the final document is completed, well ahead of the  
18 five-year resource assessment period. If constructed,  
19 will new and upgraded lodging units and road projects be  
20 torn down and removed if, after five years, resource  
21 assessment indicators determine use levels are too high?  
22 Such an action would seem highly unlikely.

23 Why is there no discussion of the need to  
24 build -- or hold up the highly controversial North Side  
25 Drive in Section D road alignments until a full

1 evaluation of their impacts are made during this  
2 five-year resource assessment period? It is imperative  
3 that a full re-evaluation of North Side Drive realignment  
4 proposal at Yosemite Lodge be made, as this highly  
5 controversial issue is crucial in implementing any VERP  
6 process.

7           When a quality visitor experience conflicts  
8 with a significant resource protection issue, there  
9 should be only one outcome. Resource protection wins.  
10 This is clearly not the case with the planned realignment  
11 of the North Side Drive. The North Side Drive  
12 realignment could be terminated without interfering with  
13 other components of the Lodge Redevelopment Project that  
14 otherwise might move forward if this highly controversial  
15 element is removed.

16           One of the most significant benefits of the  
17 Ninth Circuit Court decision was that it held up these  
18 enormous construction projects until a full review of  
19 their impacts and needs are completed. At the very  
20 least, the draft document should present a rationale for  
21 why they appear to be going forward on an essentially  
22 irreversible course prior to the completion of the  
23 five-year resource and assessment period.

24           MR. BUTLER: Thirty seconds.

25                           Unless substantial changes are made

1 in the draft revision, it appears to me that everything  
2 is on schedule, and as soon as the final document and  
3 Record of Decision is signed later this year,  
4 construction will resume. After five years of study, the  
5 visitation issue dating back to at least 1980 will remain  
6 unresolved, and the newly acquired resource assessment  
7 data will have to meld into a new infrastructure already  
8 in place.

9 The -- I have to stop.

10 Thank you guys. You're doing a great job, and  
11 I appreciate it.

12 MR. BUTLER: Okay. Just as a reminder, you can  
13 still sign up to speak at any time tonight. What we will  
14 do is reconvene our hearing panel. And also, if anyone  
15 is interested in giving a private deposition to our  
16 reporter, she's available until 9 o'clock tonight. So  
17 please feel free to grab me or sign up with Mitsy, and  
18 she'll bring your name forward.

19 With that, we will adjourn our hearing and  
20 resume our open house portion of the meeting. Again,  
21 we'll be here until 9 o'clock. So thank you very much.

22

23 8:41 p.m.

24 MR. BUTLER: We're going to now resume our  
25 public hearing portion of the meeting. We have a public

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1 speaker, 1.

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2 MR. WOOD: Yes. I am

3 MR. BUTLER: Just briefly, there are a couple  
4 of guidelines I would like to make sure you're aware of;  
5 specifically, that we would like to ask you to please  
6 summarize your comments to five minutes or less.

7 Sure. I am

8 Citrus Heights, and I have been to a few of these  
9 meetings. Tonight, I only have a few short comments  
10 regarding the Valley plan.

11 We have not been able to really analyze the  
12 four different plans because they're not comparable, and  
13 it's really hard to dig out the data from the different  
14 tables. We don't know if this obfuscation is deliberate  
15 or if it's just something that happened. But we have --  
16 I have gone through the table with some friends of mine,  
17 and we try to compare the various plans, and we don't get  
18 direct comparisons, and this is one of the problems that  
19 we have.

20 A couple other comments. One seems to be,  
21 apparently it was mentioned here earlier that on the  
22 visitor -- on the hotel rooms, there's an overlap period  
23 of 18 months between the time that they build the new  
24 rooms and the time they tear down the old rooms, and even  
25 though the original -- the general management plan

1 allocates a certain number of rooms, there's an  
2 expectation that those rooms will be exceeded for that  
3 18-month period, which means you will exceed the visitor  
4 limitation period which is set in the general management  
5 plan, which I think is 18,400 per day.

6 Another situation that they hadn't really taken  
7 into consideration is a day use reservation system. The  
8 park needs a day -- the park needs a day use reservation  
9 system. It may be the park doesn't get filled up on  
10 those days, but there should be notices at the gateway  
11 communities, say, from the -- say, the 100 days --  
12 basically the 100 busy days that you have from Memorial  
13 Day to Labor Day, that -- call ahead for a reservation  
14 if you're a day use visitor. You just need that.  
15 Especially on the 4th of July. As you well know, the  
16 park just plain gets overcrowded. And, of course, you  
17 can't turn people back. But if you have a reservation  
18 system in order, you can. And we have reservation  
19 systems all over this country everywhere. People are  
20 used to making reservations. There's no reason you  
21 shouldn't have to make a reservation, particularly for  
22 some area that is overloaded such as the Valley is on  
23 particular holidays or certain days of the year. There  
24 is no reason people coming in those gateway communities  
25 can't pick up a phone and say, "Gee, is there -- can I

1 get a reservation for this -- for today or tomorrow or  
2 whatever?" And most times, they probably wouldn't be  
3 turned away, but possibly, they would be on certain days.

4 We also have a -- let's see. I had the -- the  
5 reservation system. The transportation system. In the  
6 future, the Valley should start looking at a different  
7 transportation system than what they have composed. I  
8 wrote a comment on the transportation system previously,  
9 particularly the busses. The tour busses are just  
10 overwhelming. If you want to hear complaints, ask about  
11 the tour busses. In the first place, most of those tour  
12 busses come in from out of state using out-of-state  
13 diesel fuel. They are not even using fuel that's here in  
14 California that requires a lower sulfur content.

15 You can also monitor vehicles' emissions.  
16 There's no reason to allow vehicles in the Valley that  
17 are gross polluters. There are systems available now  
18 that will allow you to monitor tailpipe emissions, and  
19 you can set some sort of standard. Because we know the  
20 Valley is just subject to pollution simply because of its  
21 location and the way the valley is laid out. The air  
22 moves in from the west, it gets trapped in that boxed  
23 canyon, doesn't have anywhere to go. There's no reason  
24 to allow that kind of pollution in the Valley.

25 The other thing, of course, is you do have



1 the -- have the gas-powered busses, but the visitor  
2 experience, they're all crowded together. You're all  
3 crowded in this big parking lot, and then you have got to  
4 take these little busses around the park. So the  
5 visitors really don't get what we would consider a nice  
6 visitor experience, some of us that have talked about  
7 this.

8 It's -- the visitor experience is something  
9 where people can actually get out in the Valley and feel  
10 somewhat by themselves, and when you're piled into these  
11 busses or you are driven around the Valley -- and you  
12 have got plans for an 18-bay bus terminal.

13 MR. BUTLER: Thirty seconds.

14 Okay. So I have got to close  
15 this up.

16 So these are some of the things I would like to  
17 talk about. You might look in the future into a rail  
18 system. Now, it may seem strange, but eventually, fuel  
19 is going to get really expensive, and getting to the  
20 Valley is going to be a lot more difficult. But such as  
21 Sweden -- or in the Alps and Switzerland, they have light  
22 rail systems go through the mountains, they supply all  
23 the villages.

24 Thank you.

25 MR. BUTLER: Thank you very much for your

1 comments,

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2 This is a good opportunity to remind anyone  
3 else who might be interested, that they are welcome to  
4 provide public testimony. We also are making available  
5 the opportunity to provide private testimony that will be  
6 recorded by our court reporter. So if you're interested,  
7 please see Mitsy or Vicki at the welcome station and sign  
8 up.

9 With that, I would like to, once again, adjourn  
10 our hearing portion of our meeting and resume our open  
11 house. Thanks again. We'll be here until 9 o'clock.

12 (Public testimony ended at 8:46 p.m.)

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DRAFT REVISED MERCED RIVER PLAN

PUBLIC MEETING

CITY OF CLOVIS

WEDNESDAY, MARCH 2, 2005

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Testimony of

My name is \_\_\_\_\_, I'm not representing

any organization tonight. Again I want to thank the park for the opportunities to make comment tonight. I have three brief ones, I hope.

First, I've already submitted a comment on considering a day use reservation system for Yosemite Valley alternative, along with the current alternatives already addressed in the plan. The day use reservation system would only be implemented during those peak visitor use periods. The summers months would be gradually phased in so both the park visitors, gateway communities, and other stake holders would have an opportunity for input right now. I believe the visitations in Yosemite is about 80 percent day use. Back in 1980 when former superintendent Bob Bennet signed the general management plan, the concept of day use was a very important concept in that plan. We've been waiting 25 years. I do not think we should wait five more years.

Secondly, I'm very concerned about the overnight visitor population in Yosemite valley. With the time allotted, I want

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1 to focus mainly on the campsite issue. The 1980 General  
2 Management Plan called for an overnight camping population of  
3 3252 people. Existing campsites currently provide for 2034  
4 persons. Interim RNP numbers document, we're discussing today,  
5 are 2934. Yet, the valley plan calls for 2340. The GNP, and  
6 this was 25 years ago, defined low cost overnight  
7 opportunities, campsites, tent, cabins. Defined low cost  
8 overnight opportunities as 634 drive-in camp sites, plus 567  
9 tent cabins for a total of 1251 low cost overnight family  
10 drive-in opportunities. If I can Read my writing here. This  
11 is a decrease of 52 percent in low cost overnight  
12 opportunities. It needs to be noted that the GNP numbers are  
13 reflected in removal 116 campsites and 268 lodging units for  
14 the purpose of protecting river banks of Merced river. Yet,  
15 the decrease and the more pricey accommodations between the GNP  
16 and the Yosemite Valley plan is less than 1 percent, and if we  
17 take appendix D footnote A and allow the transition of the new  
18 construction allowing the old units to be used, we're actually  
19 having a net increase in the very expensive accommodations in  
20 the park. Time does not allow for more extensive discussion of  
21 this issue, but it does appear to me and something of great  
22 concern and has been since the flood of 1997 with Greg Odare  
23 president of "Friend's of Yosemite valley", who's now a law  
24 student in Fresno, wrote this little brochure "Campsites Not  
25 Hotels." Unfortunately, I think this plan is still promoting a  
26 hotel experience, not a camping experience.

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1 Finally with the minute I have left. I would like to  
2 acknowledge to the park staff the huge amount of information of  
3 the Draft Merced River, Revised Merced River Plan. However,  
4 again I have to tell you that is extremely lengthy and very  
5 difficult to understand. I really want to suggest the national  
6 park service planners with the greatest of respect, and I'm  
7 going to attach a document to my statement that I'd like to  
8 have entered into the record, that the complexities that we're  
9 referring to in this document are easily solved, this document,  
10 I'm going to submit today, I wish I had additional copies, was  
11 written by a very intelligent woman in Oakhurst, retired school  
12 teacher named Jeanne Aceto. In it she is able to show the GNP  
13 numbers, the existing numbers, the interim RNP numbers, the  
14 Yosemite Valley plan numbers, all in two-thirds of a page.  
15 There is nothing in the RNP revised document we're looking at  
16 even comes close to this kind of simplicity in laying out real  
17 issues that we're addressing here tonight. Thank you very  
18 much.

19 (End of testimony)

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22 Testimony of I

23

24 AN: I came pretty much unprepared to talk.

25 Everything that's been mentioned here will have no value if it's  
26 not enforced, and I go to Yosemite a lot and I hear so many

1   excuses from enforcement rangers, personnel and interpretive  
2   rangers, just making excuses to make visitors happy at the  
3   expense of wildlife. How is it there was so much mention here  
4   protecting resources such as social trails. Yet, when I see  
5   people crossing a meadow and going where they're not supposed to,  
6   and I see an enforcement ranger, I mention it to him. The  
7   response I get, "Well they're here to have a good time. I don't  
8   want to bother them". So, how's this going to be enforced? The  
9   problems you have there now are not being enforced. Feeding  
10   wildlife, of course is a huge issue. Garbage. I mean garbage,  
11   if you were to read some of things written about how long it takes  
12   a cigarette to break down. Shoes, and you know containers and  
13   cartons. We have a very serious environmental problem. That too  
14   when I pointed out to enforcement ranger "Well you know there  
15   might be somebody being murdered across the valley, and I'm  
16   supposed to fine somebody because their son threw a milk carton  
17   down on the grounds"? The priorities are not there. The  
18   attitude is not there. Of course, cost also comes up. Well, it  
19   cost more not to do something in the long run. Such as with  
20   invasive plan. It cost a lot to manage that stuff, but If you  
21   don't do it, it's going to cost you more in the end. The lower  
22   Yosemite falls project, very disturbing to me. I don't know why  
23   they want a picnic tables down there. The park cannot manage the  
24   problem with visitors and bears and squirrels, birds being fed  
25   now the way it stands currently. Why do they want to increase  
26   the problem by putting picnic tables where you don't have them

1 already? One of the excuses I get is that you have people eating  
2 there and throwing garbage and congregating there, and having  
3 picnics as it is, so why not put tables? Why do you want to  
4 enforce incorrect behavior? I've written about this and the  
5 response I've gotten is that we're going to put in bear-proof  
6 containers and we're going to have enforcement monitor it.  
7 You're not doing that now, where it exists. It's also an area  
8 where I see a lot of children climbing rocks. Parents stand  
9 there watching them climb rocks. I think you're waiting for an  
10 accident to occur. They go up on top of the rocks and they eat  
11 and leave food and garbage up on top. And the lower Yosemite  
12 Falls is not a place for people to congregate, it's supposed to  
13 be a place where you walk and pass through. You pass on, because  
14 it is a sensitive area. So I object very much to picnic tables  
15 being put there. Also pets on the trails. Where are the  
16 rangers? I don't see them. You have dogs unleashed, you know,  
17 up in trails where they're not supposed to be. What's the point  
18 of having a rules and regulations? There's nobody there to do  
19 nothing. Three summers ago it was notorious. They were  
20 everywhere. I suggested in the peak period such as up in Glacier  
21 Point you have enforcement rangers, maybe 2 or 3 there, to do  
22 something about the animals being fed and bringing their dogs up  
23 there and letting them lose. When rangers give talks, guess  
24 where we walk? You're not supposed to as a group. So, that's --  
25 The most recent one I had was on snow. One of the visitors who's  
26 a Yosemite junkie more than I am, because he lives closer. I

1 would be too, if I didn't live in Fresno, said that a ranger had  
2 told him if you walk on the snow in the meadow, you're not  
3 damaging plants. I don't know if that's true. You don't want  
4 people to get in the habit, and on these ranger talks you have  
5 walkways, and you know, asphalt that you can walk on. Instead,  
6 they go walk in the meadow or along the river as a group, and I  
7 think that should be stopped. You don't need to do that to have  
8 a real good ranger talk. Let's see what else I have here. You  
9 might need more walkways, not fiberglass. The ones they put in  
10 Cook's Meadow is fiberglass. And I understand it's extremely  
11 slippery in winter. A real hazard to walk across. Also it's a  
12 very unnatural material. It doesn't belong in the park. Feeding  
13 signs are extremely important to have before you enter the park.  
14 I have come across enormous resistance to this. I don't know  
15 why. What's the big deal about putting a sign at the entrance  
16 gate? When the previous superintendent was there before he left,  
17 you know those bear flyers that they had? You had a sign on both  
18 sides. They were put on windows and as you drove it was clear  
19 that you're not supposed to feed animals. I don't know why they  
20 took that down. It was working very visibly. And another, this  
21 is a question. How did we get to increase fines so that when you  
22 do make a fine, it doesn't cost more to collect it? And what do  
23 we do about getting the magistrate to do something about that?  
24 That's it.

(End of testimony)

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DRAFT REVISED MERCED RIVER PLAN

PUBLIC MEETING

CITY OF MERCED

THURSDAY, MARCH 3, 2005

-000-

Testimony of

This plan is very difficult to follow. The table comparison of alternatives doesn't seem to match what's written in the plan itself. Great concern about the transition time of 18 months that's listed for lodge unit or units when new units are instructed that the old units will remain in service for 18 months it doesn't seem reasonable that to allow -- It seems like a way to expand the amount of people that could be housed say, in the lodge. At least it isn't written in that there would be a limit on the number of people that, or number of rooms. Given the fact that user cap for three and four, and I assume will might be a cap for alternative 5.3 million would be an increase over what is now the experience in the park. The congestion basically on certain days, say Fourth of July, or things like that, and so I think that a day use reservation system would exhibit a way to allow limitations and reduce the probability of congestion. That's enough.

(End of testimony)

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DRAFT REVISED MERCED RIVER PLAN

PUBLIC MEETING

CITY OF MARIPOSA

FRIDAY, MARCH 4, 2005

-000-

Testimony

My name is \_\_\_\_\_ and my thoughts tonight are little broader than just the river plan. They broach into some philosophical aspects.

First, to comment about the history of the CMP. Merced river was designated wild and scenic in 1987. A river management plan was due within three years. This didn't occur. It was only due to litigation in the late '90s that such document was started. The attorney for the national park service stated in court, that absent the litigation plan would have been done. The order to develop the plan occurred just at the time that the Yosemite Valley Plan was ready for public release. In turn the secretary Babbet ordered the Valley Plan withheld until the River Plan was completed. Too many of us have seen the river plan was accommodating to the Valley Plan and was adequate to protect the river. Further litigation has brought us to our current circumstance. The genesis of the Valley Plan is less clear to me. It contains major construction and reconstruction projects and essentially it changes the nature of the

1 visitor experience, from one of auto touring and dispersion  
2 to one of urban bussing with concentration and  
3 regimentation. Why should this be? The valley plan was  
4 developed under one national administration and is going  
5 forward during another. There has been discontinuity both  
6 of superintendents in Yosemite, as well as a national  
7 administrations. But the valley plan survives. One wonders  
8 why. There's Certainly a temporal relationship with the  
9 advent Delaware North in the national park scene, and in the  
10 tenure of Interior Secretary Babbitt. And the company has  
11 successfully taken over parks such places as Yellowstone,  
12 Sequoia Kings Canyon, Grand Canyon, Kennedy Space Center and  
13 others. In the mid 1990's Delaware North was grossing  
14 \$200 million a year, and aiming for a billion dollars a year  
15 in revenues from national parks. They had bids out on one  
16 hundred national park sites. So I suspect they have access  
17 to the levers of the power at the national level and can  
18 make their influence felt. When we examine the net result  
19 of the current plans for Yosemite, we find a 50 percent drop  
20 in low cost accommodations and reconstruction of more  
21 expensive lodging facilities. The addition of a few more  
22 camp sites will still leave the number much reduced from  
23 traditional levels. It appears that monetary return is a  
24 major force in changes occurring in Yosemite. And I suspect  
25 the national park services is caught between the grindings  
26 of political pressure from above and political pressure from

1 below, but the net result, we need to change the nature of  
2 the visitor experience. The VERP process will be  
3 irritative. It will not produce decisions for at least five  
4 years. Yet, mayor projects are already under way and more  
5 to follow, before we have a valley river plan and a method  
6 of protecting and enhancing the outstanding remarkable  
7 values. Perhaps in the year 2011 there may be a VERP report  
8 noting that 99.9 percent of all people asked about the  
9 bussing experience in Yosemite spoke favorably. There  
10 should however be an asterisk and the footnote should say  
11 the question was asked at the 22-bay bus depot in Yosemite  
12 Village. People who do not wish to experience Yosemite as  
13 an urban bus trip will no longer be present. One wonders if  
14 the public given the chance would vote for such a plan.

15

16 As to the details of the current addition of the River  
17 Plan, I cannot say I understand it or can I see how the RV's  
18 will be monitored and protected and enhanced. There are many  
19 generalities, but to me no clear delineations. VERP is a work  
20 to be done in the future while major construction projects go  
21 forward in the present. Without the ability to determine  
22 impacts via protected Merced River Plan which is out. I want  
23 to share a few quotes with you which I think are of interest.  
24 One is that anonymous NPS employee said "Be careful about  
25 aggravating a federal agency, they can bury you in paper".  
26 William Moon who authored "New Highways And Sea" wrote in The

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1 National Geographic that in Yosemite he saw signs for golf,  
2 discover your Yosemite, and talking with ranger Scott he was  
3 told national parks aren't for entertainment. Yosemite has  
4 golf courses, refrigerated ice rink. I'll skip some more of  
5 his comments, but he generally indicated it's highly  
6 commercial. The last is from Harold Vikies who was the  
7 interior secretary of 1940's under Franklin Roosevelt with  
8 regard of national parks. I think the parks ought to be for  
9 people who love to camp and hike and have renewed community  
10 with nature. I'm afraid we're getting gradually inundated with  
11 that ideal. I lie awake at nights wondering if we are giving  
12 the customers all of the entertainment and all the modern  
13 improvements they think they are to have, but let's keep away  
14 from that because once we get started there will be no end.

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(End of testimony)

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Testimony

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20 As an 18 year resident of Merced River Canyon, I am sorry  
21 to report that in the last few months while the national park  
22 service continued to fail to protect Merced River and it's  
23 values. Trees, including an ancient California black oaks were  
24 felled and archeological sites disturbed in Yosemite. And  
25 construction has commenced on a office building in El Portal  
26 that may not even be necessary. Let's not forget that the

1 national park service has a recent history of forcing  
2 organizations like the Sierra Club, Friends Of Yosemite Valley  
3 and Merge into suing as a last resort. Over a glaring lack of  
4 protectiveness for wild and scenic Merced River, and that is  
5 why the 2000 Merced River Plan had to be revised. We are here  
6 tonight, but unfortunately in this revised river plan the NPS  
7 has demonstrated again they are promoting short sited greed  
8 over social equity and preservation of wilderness. This  
9 revised Draft Merced River Plan is a barely comprehensible  
10 document. And aside from the eerie silence from park partners  
11 like YA and YI this plan and it's impossible alternatives is  
12 being questioned publicly and privately by many informed  
13 locals, including park service employees.

14 I'd like to believe that our local park planners have good  
15 intentions and would really like to protect the Merced river  
16 but it seems from this plan that they're simply following  
17 suspect orders from higher up. Therefore I want to remind the  
18 planning team that no matter whether they are paying their  
19 mortgage, saving for a comfortable retirement, or following  
20 their government career path, they need to conduct themselves  
21 as though their children's children will live here for  
22 generations to come. Regardless of the political climate, I  
23 ask them all to remember that they are charged with serving all  
24 of us in preserving and protecting the Merced River and all  
25 it's values. The construction that is happening right now in  
26 Yosemite Valley will make way for the additional Delaware North

1 Corporation employee dorms and utilities that park management  
2 has deemed necessary without our true input to support yet more  
3 upscale increases. Check out overnight lodging you numbers in  
4 this plan. Meanwhile since 1997 affordable low impact camp  
5 sites have been reduced in the valley by 40 percent. And the  
6 lower Yosemite Fall trail is in the final stages of an  
7 expensive make-over passed off as restoration. Just incase you  
8 haven't yet seen it for yourself the lower fall area has been  
9 logged and freshly paved. Thanks mostly to eleven million  
10 dollars from urban and well healed Yosemite files, a.k.a the  
11 Yosemite fund. And additional millions from NPS that continues  
12 to cut back on valuable interpretive staff and resource  
13 protection needed in the park. This moneyed campaign of shock  
14 and awe at Yosemite Falls has been culturally insensitive to  
15 local Indian people and is yet another example of the arrogance  
16 of our time. This trend in the park reminds me unfortunately  
17 of Joni Mitchell's prophetic song, "Big Yellow Taxi", paving  
18 paradise and then charging too much just to see it.

19 Superintendent Tollefson has said the NPS has a goal of a  
20 smaller human foot print in Yosemite, but his words mean little  
21 given the lack of social equity and habit of rushing to pave  
22 and log that I am witnessing as a long-term resident. I must  
23 also remark on the supposedly public process the NPS has set up  
24 of this plan. While I applaud them for heeding public requests  
25 and posting scoping comments on their web sites, I wonder why  
26 my comments weren't among the 113 letters, faxes, e-mails that

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1 are available for viewing them. And last week at the poorly  
2 publicized and therefore sparsely attended El Portal meeting  
3 Mark Harvey, a member of the NPS planning team, stood behind me  
4 and made cutting gestures across his neck while I politely  
5 requested, along with another neighbor, that we have a group  
6 question and answer with resource experts during the open house  
7 format in order to gain more understanding of the VERP portion  
8 of the plan. Mark Harvey is known in our community and there  
9 are several witnesses that saw this shocking gesture that  
10 evening. At the very least, this member of the planning team's  
11 actions were unprofessional and they should be seen as  
12 undermining any true public dialogue. They could even be in  
13 interpreted as threatening. I am disappointed by this plan and  
14 it's process and it seems to me NPS is just begging for  
15 litigation. Yet again, at tax payer's expense. Thank you.

(End of testimony)

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Testimony

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I appreciate the assistance of given the  
podium. It wasn't here earlier in the evening. Thank you.  
Okay. Lou Aceto from Oakhurst. We make all decisions or we all  
make decisions based on our principles and priorities. We live  
in consequences of our decisions, including the park service  
personnel. We oppose the park service's decisions and their  
silence. We do not oppose personnel. It is going on eight years



1 since the park started using '97 flood money to transition  
2 Yosemite into a commercialized mass transit elitist park. The  
3 Hodapp Report supported by then superintendent Griffin's  
4 testimony clearly stated that 120 million dollars of the flood  
5 recovery money was for non flood recovery projects. Money made  
6 available with good intentions, but used to finance permanent  
7 destruction, including the aggressive widening and realignment of  
8 El Portal road. To lower falls "Disneyfication" with the  
9 abominable bathroom and a fortress for a bathroom. I'm sorry the  
10 buss stop was abominable and the bathroom was -- I should read my  
11 own list. It was abominable bus stop and fortress for a potty  
12 and both were illegally constructed in the Merced River corridor.  
13 The utility improvement plan described by Mariposa Indian Counsel  
14 as the most destructive project in Yosemite since the 1970 flood.  
15 But, this is only the beginning. Watch for the widening of South  
16 Side Drive into a two way traffic nightmare. Section D, segment  
17 D which may be even alter the Merced river channel. The 22-bay  
18 bus depot, an asphalt plan in the Valley, and much more.  
19 Unfortunately those who pretend to work to keep Yosemite  
20 unimpaired actively support the blatant commercialization  
21 advanced by the park service. Pseudo environmental groups like  
22 NRDC, NPCA, The Wilderness Society, The Yosemite Fund, and the  
23 Alpine Club, just as destructive as the passive silent support  
24 from The Yosemite association, Yosemite Institute and park  
25 personnel. The voice to protect Yosemite is growing in volume  
26 and influence as evidence by this proposed five year interim

1 program. In the eight years it has taken park service to crawl  
2 this far, Yosemite now has it's fourth superintendent struggling  
3 to continue with commercial destruction misrepresented as  
4 restoration. Mr. Tollefson is no stranger to controversy. At  
5 the Great Smokies the park service also exposed the benefits of  
6 mass transit thus this brochure, "A National Treasure Is Dying.  
7 A wake up call for those who care". It could be Yosemite. If  
8 and when the park service is sincere in upholding it's mission to  
9 protect Yosemite, it will abandon strategies to buy off support  
10 through phony gateway partnerships and manipulative disingenuous  
11 Delphi Technique seminars instead all choose stakeholders Native  
12 Americans campers, disables, gateway communities will be an  
13 integral part of the research, the planning, the implementation  
14 and the ongoing evaluation. Then all the meaningful scoping  
15 comments that the national park service ignored can be put on the  
16 table. Two recent articles give us a look at the park service  
17 today. "Park service looking for a tourism czar". In it's quest  
18 to "Disneyfy" the park system, the park service risks sacrificing  
19 the very qualities that make national parks special and worth  
20 visiting. Currently the risk sacrificing the very quality that  
21 make national parks special. I'm sorry, I've done it again.  
22 currently the park service lacks any national plan or system to  
23 manage traffic. It's not clear if new fees will only further  
24 depress visitation especially from the very under-served  
25 populations it now purports to serve. Washington Mall becomes  
26 Mickeyless Disneyland. And again think of Yosemite. The mall is

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1 becoming a place where visitors are treated less as citizens than  
2 as an unavoidable nuisance. From Capital Hill to the Potomac,  
3 roads have been closed, parking lots eliminated, gathering spaces  
4 roped off, and monuments encircled by concrete often without  
5 public announcement. A move called temporary, but soon to be  
6 permanent. We are heading toward a kind of Disneyland on the  
7 Potomac where tourists move from monument to monument by tour  
8 bus. The way it's going now they'll turn the mall into a theme  
9 park having people park in remote lots and then get shuttled  
10 around from place to place. The transformation moves forward in  
11 bits and pieces in increments so small that their larger pattern  
12 and ultimate end may be hard for the casual observer at the  
13 22-bay transit center to be aware of. Is this an acropolis or  
14 Disneyland? We may not be able to save the park system, but we  
15 can save Yosemite. Thank you.

16 (End of testimony)

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21 DR. I'm here tonight not to represent U.C.  
22 Merced. I want to say that straight out. I'm a professor. I'm  
23 here to represent myself. As a psycho linguist once professor  
24 who studies language, I know that audiences or people who should  
25 be hearing a message tend to pay less attention when someone is  
26 reading a message off a piece of paper. So pardon me for uh's

1 and um's and these sorts of speak. I like to do it more natural.

2 The reason I'm here tonight I'm part Native American and

3 some of my peoples are buried along the Merced river. It's a

4 little bit further west than the area that we're concerned with

5 tonight. Specifically it's Good Gulch down below Briceburg.

6 So in a way you may be thinking that's not a relevant area.

7 Well let me just talk a little bit about the graves there and

8 the relevance to my family, and may be that sentiment or that

9 reason can be applied to the area further east, which is that

10 area that is of concern tonight. There are 2 grave sites at

11 Good Gulch, it's near McCabe Flats. One of the people buried

12 there is my great grandfather, who is not Native American. His

13 name Alexander Cameron Matlock. He came to the Merced river

14 not too long after the Gold Rush. He lived there with the

15 Native American woman, my great grandmother, Leonora Landrum,

16 and they ran a saloon at that area. In the early 1900's when

17 the Yosemite Valley railroad was built, they ran this business.

18 A lot of people would stop there and that sort of thing. My

19 great grandfather drowned in the Merced River during a storm in

20 June and his -- So he's buried right there at that location.

21 His grave is there. The other grave is Jeff Landrum my great

22 uncle, who is Native American Southern Sierra Miwok. So, these

23 graves are in that location. We know where they are. My

24 family does. They're marked, but they're kind of set off to

25 the side, they're not real obvious. So in talking about scenic

26 river plans, I've often wondered myself when I've heard these

1 things. I wonder what traffic will mean for my family's graves  
 2 and this sort of thing. My hope is that the government will  
 3 protect these sorts of sites and that they're are interested in  
 4 talking to Native Americans to find out more about the cultures  
 5 of the people living there. The precise locations of these  
 6 graves and that sort of thing. Now, let's zoom out a little  
 7 bit. Let's just go a little bit further east closer to  
 8 Yosemite, the El Portal project. I think the situation is even  
 9 more interesting, more dire depending on your take on it.  
 10 There are several burial grounds in the El Portal region. I  
 11 don't have the statistics on those tonight, or I can't show you  
 12 where those are on the map, but I vaguely know where they are.  
 13 My hope is that the park will provide funding or the sorts of  
 14 resources that will help the native peoples in the areas  
 15 identify those precise locations and to increase the awareness  
 16 of the interest and of the history of the peoples of that group  
 17 up as time goes on. Thank you.

18 (End of testimony)

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21 Testimony

22

23 Hi my name is I'm with Friends of  
 24 Yosemite Valley. And I hope that those burial sites are not near  
 25 where the new resource building is being built in El Portal or  
 26 other massive major development that's being planned, which we

1 hope doesn't be happen. I'm guessing that all the NPS  
2 representatives here today would like to protect the Merced  
3 river. I have heard they are asking what should we do? I  
4 already said my peace at the scoping meetings. As most of you  
5 know I travel to and participated in all the scoping meetings.  
6 As most, I spoke for many hours to the NPS planners and  
7 consultants. I asked, suggested, urged, begged and pleaded that  
8 in order to develop an actually protective plan for the Merced's  
9 outstandingly remarkable values. It would need to be based and  
10 build upon those values. I did this in the hope that the old  
11 unprotected and invalid plan would be redone or revised and would  
12 accomplish this. I said put a sign above the table of which the  
13 planners convene which says it's the ORVs, outstandingly  
14 remarkable values. I'm guessing most or perhaps all the NPS  
15 representatives here realize that this draft revised plan will  
16 not do what in their hearts they would like, protect the ORV's.  
17 I'm guessing that what you would like to develop a plan with  
18 integrity. A plan that if followed would truly protect the  
19 river's values. Such a plan is required by the Wild And Scenic  
20 Rivers Act. Such a plan is necessary if we are to preserve this  
21 river, this watershed, this park, this land, this earth for our  
22 children and grandchildren. As long as the draft plan remains  
23 justification for Yosemite Valley protects, it cannot be a  
24 protective plan. It cannot be a protective plan. Yosemite  
25 valley plan to increase busses and pavement is set in place to  
26 facilitate increased visitorship, and I quote for the plan.

1 "Because the level of potentially user of transit buses is not  
2 yet determined, facilities for accommodating transit buses would  
3 be designed to accommodate a range of numbers. Accommodate a  
4 range of numbers of visitors and busses. Volume 1A page 2-21,  
5 that is diametrically opposed to establishing a user capacity  
6 based on protection of the ORVs. No where does the NPS state the  
7 Yosemite Valley plan needs to be withdrawn or redone. Viewed  
8 this plan, the Valley Plan or other plans disclose or admit  
9 significant impact, for example appendix F. Impact that's have  
10 already degraded and impacts that will degrade. How many no  
11 significant impacts, after no significant impacts, finally add up  
12 to cumulative impacts? I'd like the park service to address  
13 this. Do they ever if they take place in Yosemite National Park?  
14 Well it appears not on paper. But, there is the world of feather  
15 and leaf and in the world of feather and leaf they do appear.  
16 There is much discussion in this plan of the visitor experience.  
17 I am a visitor. My experience of Yosemite has been degraded  
18 since 1997 by many projects which have already been completed or  
19 initiated. Initiated before a protective finalized river plan is  
20 in place. If such a plan had been in place and had been  
21 followed, those projects would either have been scratched or  
22 greatly changed to protect the ORV's. "Aye there's the rub".  
23 The will needs to be there to prioritize the ORV's over the  
24 predetermined transportation development and upscale commercial  
25 projects intrinsic to the Yosemite Valley Plan. I really would  
26 like you to understand and feel how my former experience of

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1 travelling the El portal road, enjoying the CCC historic rock  
2 wall, the Black Oak overstory, the complex mosaic habitat along  
3 the upslopes and the downslope fuse of the Merced river was a  
4 well loved, joyful, intrinsic part of my visitor experience. No  
5 more. I have weeped for this. All these former ORV's have  
6 either been degraded or destroyed. I hope you will hear those  
7 words, and let them in your heart. A miracle to look at with  
8 astonishment. That is Yosemite. That is the Merced River. The  
9 precious Merced River and all she embodies. Life giver. We can  
10 protect her. Thanks.

(End of testimony)

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14 Testimony

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16 THE COURT: I live in Mid Pines,  
17 and I'm a miner on the river. I work with people down there at  
18 Briceberg. And the question I've got, or the comment is about  
19 the sewage system they put in El Portal that pollutes our river.  
20 If you're protecting river and everything, why is it ya'll keep  
21 dumping raw sewage into the river day after day? Time after time  
22 up there? I mean there's times we have to get out of the river  
23 because our eyes burn and sting too bad. You can't stand to be  
24 in the river. We're a long ways down stream. This is a question  
25 that I've got. You know, the park's supposed to be protecting  
26 and everything. This is supposed to be a wild and scenic river.



1 But, you guys aren't protecting it. You know, you're polluting  
2 the heck out of it. That's the question, the comment that I've  
3 got. Thank you very much.

4 (End of testimony)

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1                   MERCED WILD and SCENIC RIVER  
2                   REVISED COMPREHENSIVE  
3                   MANAGEMENT PLAN/SUPPLEMENTAL  
4                   ENVIRONMENTAL IMPACT STATEMENT  
5

6                   MR.                   Good evening. My name is  
7                   I reside in Fresno. I'm Chair of the Sierra  
8 Club's Yosemite Committee, and I am speaking on behalf  
9 of the Sierra Club.

10                  The following comments have been prepared in  
11 written form to ensure that what I say comes across as  
12 intended.

13                  Because we will be somewhat critical of the DRAFT  
14 Merced River Plan Revision, we want to make it  
15 abundantly clear that we are not attacking the  
16 individuals within the Yosemite National Park or the  
17 consultant entity, who are responsible for giving  
18 direction or who actually were involved in the  
19 preparation of this plan. That includes those from the  
20 Denver Park Service office with whom I have had  
21 interaction. Without exception, I find all of you to be  
22 likable, open and helpful, and I have the distinct  
23 impression that you are all well-intentioned and that  
24 you would like to see a high quality visitor experience  
25 made available, while providing a very high level of

1 resource protection.

2 Those are goals that we share.

3 We believe that the direction which has  
4 resulted in a poor Plan has come from elsewhere, not the  
5 people with whom I have had the pleasure of talking.

6 The Draft Merced River Plan is a mass of  
7 contradictions, illogical statements, confusing and  
8 inconsistent jargon, and so-called "information"  
9 presented in such away as to defy analysis. The  
10 document is internally inconsistent, rendering  
11 meaningless any public attempt to comment on content.

12 The extensive series of public meetings which  
13 the National Park Service has been conducting throughout  
14 California have made it abundantly clear that those who  
15 have attempted to read the document or understand the  
16 issues are totally confused. Even some in a sister  
17 land-management agency said that the plan is quote, a  
18 convoluted mess", and have asked, quote, "how are we  
19 supposed to comment on it?" These are people who work  
20 for a living analyzing EIS's.

21 Disclosure of the intended action is at the  
22 very heart of the NEPA requirements under which this  
23 Plan a -- SEIS was produced.

24 The Plan/SEIS utterly fails that most basic  
25 requirement -- to let the public know what it is that

1 the Park Service intends to do.

2 The present situation is so chaotic that the  
3 Park Service needs to continue taking comments to find  
4 out what the problems are, then issue a Revised Draft  
5 Plan or possibly a Supplement.

6 The Revised or Supplementary Draft then would  
7 require a new comment period. Only then would the  
8 public be able to make comments that are relevant. In  
9 the absence of a new document and a new comment period,  
10 the final result probably would be subjected to further  
11 litigation.

12 A new draft or supplement and a new comment  
13 period would be the only way that the Plan could be NEPA  
14 compliant. The present document simply doesn't cut the  
15 mustard (sic).

16 A new comment period is critical because that  
17 would mean that the revisions were substantial. Any  
18 minor tinkering that would avoid the need for a new  
19 comment period would not be adequate. The present draft  
20 requires major overhaul if further litigation is to be  
21 avoided.

22 The Park Service's preferred alternative does  
23 not describe any meaningful way of addressing excessive  
24 impacts other than directing people to other Yosemite  
25 Valley or the Park, thereby transferring the impact to

1 new areas. This would have a huge impact on the quality  
2 of the visitor experience as well on the natural  
3 resources, yet we find little, if any, discussion of  
4 these impacts.

5 In fact, buried in the document is a statement  
6 to the effect that these draconian actions could be  
7 taken out without any further environmental review. If  
8 you are going to cram people into a, quote,  
9 "one-size-fits-all" straitjacket, micromanaging the  
10 visitor experience, and damaging the natural resources  
11 in the process, we believe it requires further review  
12 and public comment.

13 A revised document could avoid this  
14 unacceptable proposed management direction if it  
15 proposed a day use reservation system. People could be  
16 assured of getting into the Park, and once in, they  
17 could be free to enjoy the Park in a way that they would  
18 choose rather than in a way the Park Service would  
19 choose for them.

20 It is essential that a new document contain  
21 significant discussion of a day use reservation system  
22 as being a necessary management tool to deal with  
23 excessive impacts while preserving the quality of the  
24 visitor experience.

25 It is imperative that a Revised Draft or

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1 Supplement be issued. This would even detail some  
2 delay, but the alternative would be further chaos, delay  
3 and frustration. Thank you for listening.

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4 John buckly

5 MR. 'm with the Central

6 Sierra Environment Resource Center. I wasn't gonna  
7 speak tonight, but, again, when I see the presentation  
8 and see the good intentions and also some of the  
9 questions that were answered beforehand, it brings up  
10 that we do need to share to a captive audience, the Park  
11 staff, some of the concerns that we didn't go into  
12 detail before.

13 One of the biggest concerns that I personally  
14 have is there are two areas that the VERP process is  
15 really gonna be analyzing, and one of them is pretty  
16 straight forward. It's how much crowding is taking  
17 place and whether or not there is a good visitor  
18 experience. That's pretty easily measured. It's pretty  
19 easily managed.

20 I know that for someone who is dealing with the  
21 social implications of limits on tourism or whatever it  
22 might be, getting to the place they might want to go,  
23 might not think that that's easily managed.

24 Nevertheless, that's something you can get a handle on.

25 But the second area, the effects of humans on the

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1 web of life within the river corridor, which is really,  
2 I believe, the driving purpose behind this plan, that is  
3 more difficult to analyze. And in this case, it is much  
4 more difficult to measure because there are more than  
5 300 wild life species and even more plant species that  
6 somehow have to be considered. And even if you  
7 acknowledge that certain species should be the focus,  
8 your challenge is then to separate out the effects of  
9 humans on those indicators, if that's -- if they become  
10 indicators -- from the natural variation of weather, of  
11 habitat, of crenation, et cetera.

12 Our center believes that unless the park makes  
13 key -- excuse me, key ecosystem indicators the priority  
14 in the VERP process, the valley, in particular, is  
15 likely to continue to lose one ecological puzzle piece  
16 after another over coming decades no matter whether or  
17 not people feel crowded.

18 So our center suggests that instead of having  
19 minimal biological indicators, and right now out of the  
20 current 11 examples that are up there on the screen,  
21 most of those are social in terms of whether or not they  
22 are managing or measuring something. And we're  
23 suggesting that the park assemble your best biological  
24 team and develop a clear, measurable list of at-risk  
25 species that truly have high potential to be affected by

1 visitor use and then figure out how is best to measure  
2 them. As already shared, the current plan doesn't  
3 provide the public with clarity. This is some of what  
4 George I think is concerned about as to how indicators  
5 will actually be measured or monitored nor specifics as  
6 to what actions will be taken in terms of real steps  
7 that are clear to the public when the standards are  
8 being exceeded and a trigger has been met.

9 We understand that the park staff desires  
10 flexibility at both the court and public need at least  
11 some understanding of the parameters that bound the  
12 range of potential actions for each indicator that  
13 represents such a complex chunk of the ecosystem.

14 So, again, to kind of sum up here is, we also  
15 believe it's important to look at the big picture as  
16 well as down at the site specific level. So tonight,  
17 Tom and I, as we were discussing how to describe it, we  
18 were describing it as a suite of indicators rather than  
19 just an indicator for the ecosystem along the river.

20 Just for example, if it turns out the foothill  
21 yellow legged frog is the species the most at risk and  
22 most representative of human effects on the riparian  
23 areas within stream reach in the valley, it may be you  
24 look at the site specific level and you have your  
25 biologists to count the masses in the stream to have



1    them monitored to determine whether or not those egg  
2    masses have reached hatching successfully. And then at  
3    the next level to do some sort of counts of how many of  
4    the tadpoles actually make it through metamorphosis and  
5    maturity by counts of juveniles or adults. And then  
6    there might always be transects in the same range along  
7    the river to understand whether or not there is suitable  
8    frog habitat in terms of riparian vegetation within the  
9    corridor.

10           Finally, at an even broader level, there might be  
11    an analysis of stream bank stability along the entire  
12    river corridor valley done every other year or  
13    something, which is not that difficult to do. You have  
14    staff that could clearly do it. But it would provide a  
15    more of a big picture. And by having from the big  
16    picture down to the very site specific with a suite of  
17    indicators and then responding to those in appropriate  
18    fashion, you would be able to provide something that  
19    wasn't mixing the natural variability that occurs out  
20    there, but instead would be looking at the trend of  
21    responses caused by human actions.

22           So in closing, the more that our staff has  
23    reviewed the EIS, the more we see there is a tremendous  
24    amount of verbage, which was discussed by the previous  
25    speaker, and descriptions of general consequences of

1 each alternative. And it's very well done, and I'm not  
2 criticizing the authors because they've done a lot of  
3 it, but there is very little specificity to help the  
4 public say yes to this or no to that in terms of an  
5 action to understand.

6 And our hope is that the park's review of the  
7 comments will help lead to that clarity and convert the  
8 excellent intentions of the planners into a more easily  
9 understood user capacity component of the overall Wild  
10 and Scenic Management Plan.

11 And we can't see what the colors are, so I  
12 don't know if I'm past. Thank you.

13

14 (Whereupon the public testimony  
15 portion of the meeting concluded  
16 at 7:07 p.m.)

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